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ABSTRACT

This paper uses a comparative approach to investigate the ethical policies and practices of Australian and American universities. In Australia, 26 institutional surveys were returned in which institution heads responded to questions about the professional ethics of faculty, the ethics of student assessment, research ethics, and the ethical element of the curriculum; the response rate was 74%. Findings showed that the older and more established the university, the more the respondents tended to think of ethics as relating only to research activities and to such obvious problems as student plagiarism. Newer schools demarginalized ethics and defined the ethical dimensions of a broad range of activities. An American survey was conducted of 78 schools (54 responded; a 69% response rate) that were comparable with the Australian group. Results showed that universities in America had a stronger sense of the ethical dimensions and importance of their activities than did their Australian counterparts. Some of this is believed to be due to the Australian system's being more centralized with a more prominent role of the federal government and national bodies in shaping policies and directions of all universities. Contains 11 references. (GLR)

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IMPROVING THE PUBLIC TRUST: ETHICAL ISSUES
IN AMERICAN AND AUSTRALIAN UNIVERSITIES

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INTRODUCTION

This paper deals with the ethical policies and practices of Australian and American universities. The approach used follows the outline of comparative perspectives on educational policy and practice in the two countries promoted by Boyd and Smart (1987), who drew attention to the value of such studies and to the benefits of mutual discussion of educational problems and issues common to both countries.

The idea for a project concerned with the ethical practices of American and Australian universities began with a consideration of evidence from both countries that insufficient attention had been paid to ethics in higher education (May, 1990; Cantrell, 1991). The public trust in universities had been severely tested by a series of scandals, improprieties and revelations involving faculty and administrators, as well as academic and ethical standards. The evidence suggested that while some institutions had adopted codes of ethics, or had encouraged ethical debate, little specific attention had been given to the particular ethical dilemmas which faculty and administrators face (Cahn, 1990). Where attention had been detailed, the focus had tended to be on a narrow range of problems which had come to be regarded as in some way peculiarly "ethical". These problems included research

practices, plagiarism, sexual harassment, racial discrimination and equal employment opportunity. Concern with these important but specific issues had been at the cost of a broader consideration of the ethical dimensions and complexities of many of our universities' other academic, administrative and business activities (Smith and Reynolds, 1990). In particular, the ethical element of each institution's culture had been paid scant attention.

The tendency to focus on the details of particular ethical problems rather than on the ethical dimensions of broader and more complex issues or practices also meant that the ethics of the activities of university administrators had been especially neglected. Only recently, for instance, had the ethical dimensions of American university policies and practices in relation to admission recruiting and selection been explored (Cox, 1990). Ethical questions concerning the use of indirect cost recovery from federal research grants and awards were only emerging during 1991. The events at Stanford, which led to the resignation of that university's president, suggested that much closer ethical attention needed to be paid to the relationship between public funds and private purposes.

In Australia too there had been a neglect of the ethical dimensions of many of the universities' academic and administrative activities. In both countries there was

evidence of public disquiet concerning allegations of improper research practices, inadequate financial accountability and abuse of academic freedom and privileges. Higher education, on both sides of the Pacific, had not had good press. The time seemed ripe to examine the evidence concerning current ethical concerns in Australian and American universities.

AUSTRALIAN SURVEY AND RESULTS

The research for the paper began with a survey of the ethical policies guiding some of the practices of Australia's 35 universities. One of the distinguishing features of the Australian university system is its strong centralism. Not only are the 34 public universities (an additional private university has opened since the survey was conducted in 1991) all funded by the federal government, but each institution has a representative on the powerful Australian Vice-Chancellor's Committee. There is no parallel group in the United States. The AVCC acts as a lobby for the universities, as the main interface between higher education and the government, and as an upholder of broad standards across the nation's campuses. In it is this latter role the the Committee has published ethical guidelines on graduate advisement, research misconduct, and the recruitment of international students, all areas of recent concern. The National Health and Medical Research

Council (NHMRC) has also established national guidelines governing research with animal and human subjects. All universities are required to conform to these guidelines in order to be considered for national research funding. One of the requirements of the guidelines is that the university have an active research ethics committee which includes substantial outside representation.

The survey of Australian universities resulted in 26 useable responses (a 74% response rate). Vice-chancellors (that is, presidents) were asked for information concerning their institution's policies and practices in relation to:

1. The professional ethics of faculty;
2. the ethics of student assessment;
3. research ethics;
4. the ethical element of the curriculum.

As this was the first survey of its kind, we were seeking information which would allow a broad picture to emerge and which would suggest and facilitate further research. The results were as follows.

1. Three of the 26 responses indicated that the university had a policy concerning some aspect of the professional ethics of faculty. One university had developed a code of professional conduct concerning both faculty teaching and advisement. The code established the

detailed responsibilities and rights of both faculty and students. Matters covered included faculty responsibilities in relation to campus attendance, distribution of course information, accessibility to students, time allocation, the grading and return of papers, and monitoring the progress of graduate students. .

2. Five of the 26 responding universities indicated that they had developed ethical policies concerning student assessment. The policies covered the broad issues of faculty and student responsibilities in relation to the nature, content, timing and grading of assessment items. Many of the other universities, however, made it clear that they had regulations or by-laws governing such matters as cheating or plagiarism. Some even suggested that such regulations were evidence of their concern for ethics, even if there was little or no evidence of an ethical basis underlying the various rules and procedures. It would seem axiomatic, for instance, that regulations governing student assessment behavior based on ethical principles understood by and shared with the students are more likely to be observed than those which have no such foundation. There was little if any indication of this mutuality. Similarly, none of the respondents indicated the existence of ethical policies concerned with the faculty role in student assessment.

3. All 26 universities had established (or were in the process of establishing) research ethics committees as required under the NHMRC guidelines. Many campuses also drew our attention to the various AVCC publications and guidelines. It is worth noting that the NHMRC deals almost exclusively with experimental research involving animal and consenting human subjects. Its guidelines offer little or limited assistance in many emerging areas such as bioethics, oral history or performance research. Four or five Australian universities have established centers or groups to explore these new issues. In addition, NHMRC guidelines tend to deal with notions of privacy and confidentiality, and focus on the process and dissemination of research, rather than on its content. They are less about matters of ethical concern over the nature of particular research, than about the regulation of its methods of conduct and the relationships between its various participants. They reflect a professional awareness of methodology rather than an ethical awareness of substance.

4. None of the public universities had a core or compulsory course in ethics. The single private Australian university required all its undergraduate students to undertake studies in ethical values within their first four semesters. No university had such a requirement for its graduate students. Equally, no university had a policy which required students in particular colleges or

disciplines to undertake applied ethics relevant to their chosen field of study. It was clear, however, that many professional programs (for example, in medicine, engineering, business and law) did contain explicit courses in applied ethics. It was also clear that the Philosophy Department was seen by most universities as the appropriate place for the consideration and teaching of ethics.

In addition to their questionnaire response, vice-chancellors were invited to provide additional information concerning other policies and practices dealing with ethics at their institution. None provided information concerning the ethics of business or administrative practices. Several indicated that their institution had no real interest in ethics beyond the national requirements governing research. A major research university admitted that it did "not have a coherent collation of ethical guidelines". Another wrote that, apart from research ethics, "we do not have any other policies in place regarding ethical practices". Yet a third institution acknowledged "no formal policy in three of the four areas you mention". Australia's oldest and most distinguished university responded to the questionnaire by forwarding a large document called, "Discipline of Students".

On the other hand, some vice-chancellors wrote that their campuses were moving towards a more substantial engagement with the ethics of their current practices. One university

indicated that it was "contemplating developing and adopting a formal code of Practice for Teaching". This proposed code would "formalise accepted and understood ethical procedures in this area". Another wrote of the need to view "the whole question of ethics in the University context very seriously" and indicated that it had "expended considerable time and effort on this matter in recent times. We expect it to achieve even greater prominence ... in the near future."

The survey revealed, in fact, that the older and more established Australian universities tended to think of ethics as relating only to research activities and to such obvious problems as student plagiarism. The newer and smaller universities, however, were more likely to demarginalize ethics and to define the ethical dimensions of a broad range of activities. This finding is in accord with the theory put forward by Daniel Callahan (1982) who, in an article called "Should There Be An Academic Code of Ethics?" argued that, historically, institutions undergoing change were more likely than others to reflect upon their ethical practices; and that large, modern universities were too large and too complex to easily confront the totality of their moral variables.

AMERICAN SURVEY AND RESULTS

The results of this brief survey of ethical policies and practices in Australian universities prompted the idea of a similar survey in the United States. This second survey was carried out in early 1992. The vastly larger number of higher education institutions, the greater complexities of institutional type, and the growing literature concerned with the ethics of American higher education (Cahn, 1990; May 1990; Kadish, 1991), necessitated major modifications to the earlier survey instrument and distribution.

Nonetheless, in order to achieve some partial comparability with the Australian results, it was decided to survey only those American universities classified as either Research II or Doctorate-granting I in the Carnegie Foundation's classification system (Carnegie, 1987). These two groups, totalling 78 universities, are perhaps the American institutions most comparable with the Australian universities, all of which have a research focus and all of which are doctorate-granting. From this American data it seemed also possible to form some broad conclusions about American universities generally.

The original Australian survey instrument was substantially modified to recognise the way in which certain uniquely American practices (such as the allocation and

disbursement of federal grant funds) raised major and pressing ethical concerns. The researchers also decided to seek more detailed information concerning the teaching of ethics than had been sought in Australia and to focus specifically on the questions of the ethics of university business practices, and equal employment opportunity and affirmative action. These latter two topics had not been explored in Australia, though several respondents suggested that they should have been. Thus, while the survey of the American universities yielded data directly comparable to the Australian survey in relation to student assessment, faculty professionalism and ethics in the curriculum, it also yielded additional data where only indirect comparisons were possible. A further and more detailed survey of Australian institutions is now foreshadowed for the near future.

The American questionnaire was sent to the presidents of the 78 universities and contained a total of 12 questions. Fifty-four responses were received (a 69% response rate) and many presidents responded to the invitation to provide as much additional information and advice as they saw fit. The outcome was a large amount of data concerning current ethical policies and practices in some of America's major institutions of higher education.

The survey results were as follows. (Not all of the 54 respondents answered all the questions).

Does your university have a current policy or set of procedures relating to the ethics of:

- 1 Teaching? YES=32 NO=17
- 2 Business Transactions? YES=35 NO=14
- 3 Research Activities? YES=45 NO=6
- 4 Student Assessment? YES=23 NO=27
- 5 Faculty Professionalism? YES=36 NO=16
- 6 Course Content? YES=11 NO=38
- 7 The disbursement of grant funds? (State, federal or other external) YES=39 NO=12
- 8 Equal employment opportunity and affirmative action? YES=45 NO=6
- 9 Does your university teach applied ethics in any of its colleges? YES=51 NO=1

Is there a compulsory ethics course for any of your:

- 10 Undergraduate students? YES=23 NO=30
- 11 Graduate students? YES=18 NO=34
- 12 Does your university presently have a group or committee to consider and advise on matters of ethics outside of research ethics? YES=19 NO=34

These results indicated a substantial commitment to ethical policies among those universities which participated in the survey. Teaching, for example, was covered by ethical policies or procedures in 65% of the responding institutions; research activities in 88%. The ethical aspects of faculty professionalism had been considered by 69% of institutions. Nearly half of the institutions (46%)

had established practices relating to the ethics of student assessment and the overwhelming majority (98%) taught applied ethics in at least one of their colleges. It is also important to note that only 22% had policies to deal with the ethics of course content. This figure may reflect something of the perceived tension between the legitimate ethical (and legal) concerns of the institution and the academic freedom of the individual faculty members. Such tensions will never be fully resolved and are merely one indication of some of the complexities involved in the formulation and management of institutional ethics policies.

Business transactions were subject to ethical considerations in 71% of institutions (and were also often subject to various pieces of federal and state legislation or administrative rules designed to prevent kick-backs and conflicts of interest. In addition, there were codes of ethics advocated by such organizations as the National Institute of Governmental Purchasing and the National Association of Educational Buyers). Other matters of specific federal concern were also the subject of ethics policies in most institutions: the disbursement of grant funds (76%) and equal employment opportunity and affirmative action (88%). Just over a third of the responses (35%) indicated that the institution had a current group or committee to consider and advise on matters of ethics outside of research ethics. Several presidents stated that

such a group was working towards the establishment of ethics policies in areas where the institution currently had no such policy. The area of Faculty Professionalism was specifically mentioned by two presidents.

Some institutions provided detailed accounts or audits of their existing ethics policies and practices. One private north eastern university identified the following areas as either currently the subject of ethics policies, procedures or practices, or as earmarked for the development of such in the future.

1. Educational/Intellectual issues.

- misconduct in research
- academic freedom
- honor system
- admissions procedures
- human subjects
- research involving animals
- teaching of ethics
- classified/proprietary research

2. Community Life.

- academic ethics
- harassment, diversity issues
- controversial speakers policy
- religious observance
- campus media appeal board
- AIDS policy
- drug-free workplace
- right to know
- biosafety

3. Human Resource Issues.

- hiring/promotional opportunities
- termination
- sexual harassment
- consensual relationships

racism, sexism, homophobia
 affirmative action
 grievance procedures
 foreign employees
 nepotism
 outside consulting
 performance management system

4. Financial Issues.

receipt of funds
 investment policy

5. Management Practices

conflict of interest
 fraud
 confidentiality
 environmental policies
 public relations
 vendor relations/purchasing policy

These 36 areas represented the most comprehensive statement of the range of institutional ethics we had yet seen. The list could well serve as a model for other institutions which seek to define those areas of their current activities which may be subject to ethical enquiry or debate. Yet there are still major areas of university life (for instance, undergraduate teaching) seemingly neglected in the list. We need to turn to two brief volumes concerned with good undergraduate teaching practice, sponsored by the American Association for Higher Education, to discover inventories of 136 practices by which faculty and institutions might measure the ethical and pedagogical quality of their work (Chickering, Gamson and Barsi 1989a and 1989b).

Our survey also provided data pertinent to a comparison of the ethical practices of both private and public universities in America. Sixteen of our 54 respondent institutions were private. An analysis of the data produced no evidence of significance that the private universities were any more or less likely to have ethical policies or procedures in relation to the 12 questions than were the public institutions. This was a surprising result for our earlier survey in Australia (which revealed that no public universities offered ethics as a core course) had led us to speculate that private institutions might be leaders in matters of institutional ethics in America.

COMPARATIVE ANALYSIS OF SURVEY RESULTS

The American survey results suggest, at first, that universities in this country had a stronger sense of the ethical dimensions and importance of their activities than do universities in Australia. For instance, whereas only 11% of the responding Australian universities had policies or procedures governing the ethics of faculty professionalism, 69% of the American universities claimed to have addressed this matter. Similarly, 19% of the Australian universities indicated that they had a policy dealing with the ethics of student assessment; 46% of the American universities also had such a policy. The comparison of data concerning the compulsory or core

teaching of ethics was even more striking. Only one Australian university (4%) had such a course. The American survey revealed that 43% of responding institutions had such a course for their undergraduate students and 34% for those enrolled in graduate programs. On the other hand, whereas all the Australian universities indicated ethical policies relating to research, only 88% of American institutions responded positively to this question.

Some of these differences in the results of the Australian and American surveys can possibly be explained in terms of the nature and structure of the respective higher education systems. The Australian system, for instance, is a highly centralized one in which various national bodies (such as the NHMRC and the AVCC), as well as the federal government, play major roles in shaping the policies and directions of all universities. The latter, as we have shown, frequently adopt national ethical codes or practices rather than develop such codes on an institution by institution basis.

The American university system is much more diverse. The role of national bodies, and the federal government, though important, is much less direct. State legislatures are likely to exert more pressure on both public and private institutions than is the case in Australia. Outside pressure groups are apt to be more powerful and more

successful. Individual institutions have perhaps greater responsibility for the determination and implementation of their own ethical principles and policies. The result seems to be that American universities have taken a more institutionally oriented and a more proactive role in addressing questions of ethics than have their Australian counterparts.

It is also impossible to ignore the impact of America's constitutional and legal systems on the determination of ethical priorities in its higher education institutions. An awareness of both individual rights and legal liabilities is more obvious in American life generally than it is in Australia. All institutions in America, perhaps, need to address issues of moral and ethical responsibility more closely than do institutions in other less litigious countries, such as Australia. Such institutional activity is one line of defense against legal action.

CONCLUSIONS

It is obvious that there is a good deal of current activity concerning institutional ethics in universities in both Australia and America. Some of the issues of concern reported at the beginning of this paper have begun to be addressed. The tendency among the newer Australian institutions, and among many American universities, is to

ensure a consideration of the ethical dimensions of an increasing range of activities. While few institutions seem to have moved in the direction of the adoption of formal ethical codes, there is undoubtedly a heightened awareness of the need for ethical guidelines, information and consideration. American universities in particular recognize the importance of ethical matters in the professionalism of their faculty, in their business transactions and in the curriculum of their undergraduate and graduate students.

But much work remains to be done. The process of improving the public trust will take time as well as commitment. It is the responsibility of every university to provide all its members with opportunities to be informed on ethical matters of both general and particular relevance to their work. The flow of ethical information must be ongoing and seen as a normal part of student learning and faculty development. A task such as this calls for institutional leadership and management of a high order. Ethically-oriented leadership will be asserted in the institution's mission statement, and will ensure the discussion and publication of ethical guidelines relating to the whole campus's work in teaching, learning, research, administration, business dealings and community service.

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